

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (LODG) NO. 868 OF 2006

1. Prakash Harishchandra Muranjan & 4 ors]..Petitioners

V/s.

1. Mumbai Metropolitan Regional Develop-]
-ment Authority & 2 ors.]..Respondents

Mr. V.T. Walawalkar with V.S. Paradkar for the petitioners.

Mr. R.M. Sawant, Govt. Pleader, for the respondents.

CORAM : F.I. REBELLO,
ANOOP V. MOHTA, JJ.

DATED : 12TH APRIL, 2006

P.C.

. It is a case of the petitioner that the structures constructed by the petitioners on land belonging to them are sought to be demolished by giving notice only to the occupants and without giving notice to the petitioners.

2. Considering the above grievance, in our opinion, notice will have to be given to the petitioners claiming to be owners of the construction as also the land. On behalf of the petitioners, learned counsel states that notice on petitioner No.1 will be deemed to be a notice for all the co-owners including the other petitioners.

3. Considering the above, respondent No.1 to give notice to the petitioner No.1, who will accept the notice on behalf of other petitioners and all co-owners, whether before this Court or not. Respondent No.1, after hearing the say of the petitioner No.1, to pass appropriate orders according to law. Needless to say that the construction will not be demolished without notice and hearing the petitioner No.1.

4. Rule made absolute accordingly. No order as to costs.

Sd/-
[F.I. REBELLO, J.]

Sd/-
[ANOOB V. MOHTA, J.]